

Charter Bylaw 19824

A Bylaw to amend Bylaw 12800, as amended,  
The Edmonton Zoning Bylaw  
Amendment No. 3300

WHEREAS Lots F and G, Block 1, Plan 3027KS; located at 6830 - Ellerslie Road SW and 7030 - Ellerslie Road SW, Ellerslie, Edmonton, Alberta, are specified on the Zoning Map as (CB1) Low Intensity Business Zone; and

WHEREAS an application was made to rezone the above described property to (DC2) Site Specific Development Control Provision;

NOW THEREFORE after due compliance with the relevant provisions of the Municipal Government Act RSA 2000, ch. M-26, as amended, the Municipal Council of the City of Edmonton duly assembled enacts as follows:

1. The Zoning Map, being Part III to Bylaw 12800 The Edmonton Zoning Bylaw is hereby amended by rezoning the lands legally described as Lots F and G, Block 1, Plan 3027KS; located at 6830 - Ellerslie Road SW and 7030 - Ellerslie Road SW, Ellerslie, Edmonton, Alberta, which lands are shown on the sketch plan annexed hereto as Schedule "A", from (CB1) Low Intensity Business Zone to (DC2) Site Specific Development Control Provision.
2. The uses and regulations of the aforementioned DC2 Provision are annexed hereto as Schedule "B".

3. The sketch plan annexed hereto as Schedule "A" and the uses and regulations of the DC2 Provision shown on Schedule "B" annexed hereto are hereby incorporated into the Zoning Bylaw, being Part IV to Bylaw 12800, The Edmonton Zoning Bylaw.

READ a first time this	day of	, A. D. 2021;
READ a second time this	day of	, A. D. 2021;
READ a third time this	day of	, A. D. 2021;
SIGNED and PASSED this	day of	, A. D. 2021.

THE CITY OF EDMONTON

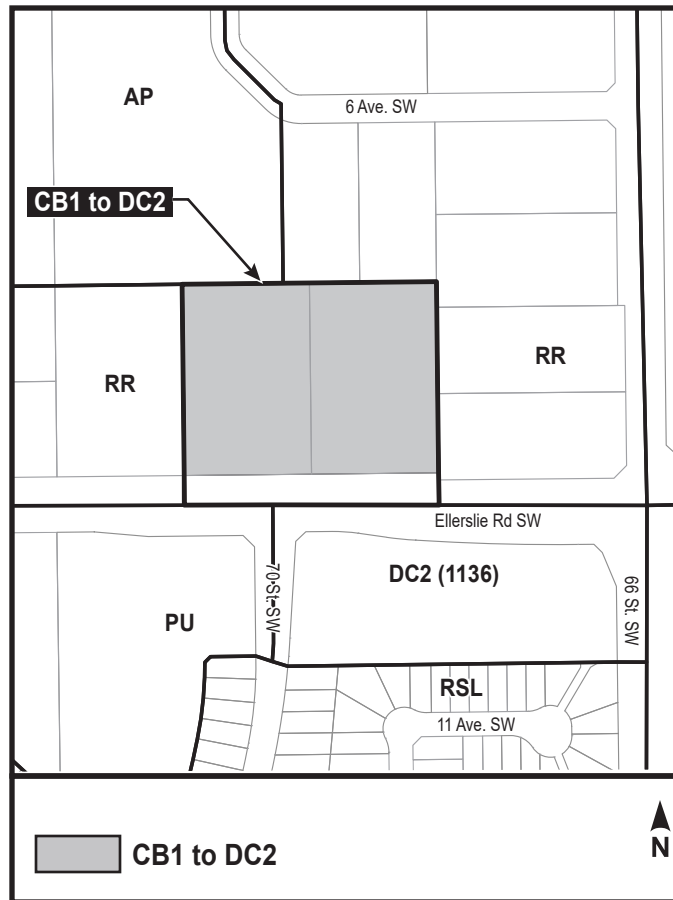
---

MAYOR

---

CITY CLERK

## CHARTER BYLAW 19824



## (DC2) SITE SPECIFIC DEVELOPMENT CONTROL PROVISION

### 1. General Purpose

The purpose of this Zone is to provide for low intensity commercial, office and service uses, and limited Residential-related Uses to serve the needs of the surrounding communities.

### 2. Area of Application

This Provision shall apply to Lot F and G, Block 1, Plan 3027KS, located Northwest of the 66th Street and Ellerslie Road intersection, as shown on Schedule "A" of the Bylaw adopting this Provision, Ellerslie.

### 3. Uses

- a. Bars and Neighbourhood Pubs
- b. Business Support Services
- c. Cannabis Retail Sales
- d. Child Care Services
- e. Commercial Schools
- f. Convenience Retail Stores
- g. Drive-in Food Services
- h. Gas Bars
- i. General Retail Stores
- j. Health Services
- k. Hotels
- l. Household Repair Services
- m. Indoor Participant Recreation Services
- n. Limited Contractor Services
- o. Liquor Stores
- p. Live Work Units
- q. Major Amusement Establishments
- r. Major Home Based Business
- s. Media Studios
- t. Minor Amusement Establishment
- u. Minor Home Based Business
- v. Minor Service Stations
- w. Multi-unit Housing
- x. Pawn Stores
- y. Private Clubs
- z. Personal Services Shops
- aa. Professional, Financial and Office Support Services
- bb. Rapid Drive-through Vehicle Services
- cc. Recycling Depots
- dd. Recycled Materials Drop-off Centres
- ee. Residential Sales Centres

- ff. Restaurants
- gg. Secondhand Stores
- hh. Special Event
- ii. Specialty Food Services
- jj. Supportive Housing
- kk. Urban Gardens
- ll. Urban Indoor Farms
- mm. Urban Outdoor Farms
- nn. Veterinary Services
- oo. Fascia On-premises Signs
- pp. Freestanding On-premises Signs
- qq. Major Digital Signs
- rr. Minor Digital On-premises Signs
- ss. Projecting On-premises Signs
- tt. Temporary On-premise Signs
- uu. Vehicle Parking

#### **4. Development Regulations for Uses**

- a. The development shall be in general accordance with Appendix I.
- b. The maximum Floor Area Ratio shall be 2.0.
- c. The maximum building Height shall not exceed 12.0 m.
- d. A Setback of 3.0 m shall be required along Ellerslie Road SW.
- e. A Setback of 3.0 m shall be required where the Rear or Side Lot Line of the Site abuts the lot line of a Site in a Residential Zone.
- f. No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a Setback. Vehicular parking, loading, storage and trash collection areas shall be located to the rear or sides of the principal building and shall be screened from view from any adjacent Sites, and public roadways in accordance with the provisions of the Zoning Bylaw. If the rear or sides of a Site are used for parking, an outdoor service or display area or both, and abut a Residential Zone, such areas shall be screened in accordance with the provisions of the Zoning Bylaw.
- g. The maximum Floor Area per business shall be 2,500 m<sup>2</sup> and must comply with the following:
  - i. Bars and Neighbourhood Pubs and Restaurants shall not exceed 240 m<sup>2</sup> of Public Space; and
  - ii. Specialty Food Services shall not exceed 120 m<sup>2</sup> of Public Space.
- h. All mechanical equipment, including roof mechanical units, shall be concealed by screening in a manner compatible with the architectural character of the building or concealed by incorporating it within the building.
- i. Any business premises or multiple occupancy building having a Floor Area greater than 2,000 m<sup>2</sup> or a single wall length greater than 20 m that is visible from a public road, shall comply with the following criteria:
  - i. The roof line and building façade shall include design elements and add architectural interest; and
  - ii. Landscaping adjacent to exterior walls shall be used to minimize the perceived mass of the building and to create visual interest.
- j. The following regulations shall apply to Multi-unit Housing developments:

- i. Multi-unit Housing shall be permitted only in buildings where the first Storey is used for commercial purposes;
  - ii. The housing component shall have access at ground level, which is separate from the access for the commercial premises; and
  - iii. The maximum Floor Area Ratio of Multi-unit Housing shall be 1.5.
- k. Notwithstanding Section 70(2) of the Zoning Bylaw, Cannabis Retail Sales shall maintain a 95 m separation distance from the closest point of any Cannabis Retail Sales Use to the boundary of a site containing Community Recreation Services Use, a community recreation facility or as public lands at the time of application for the Development Permit.
- l. Notwithstanding Section 70(2) and 70(4) of the Zoning Bylaw, Cannabis Retail Sales shall maintain a 200 m separation distance from the closest point of any Cannabis Retail Sales Use to the boundary of a site being used for public or private education or public library at the time of application for the Development Permit.
- m. Notwithstanding Section 85(2) and 85(4) of the Zoning Bylaw, Liquor Stores shall be within 500 metres of another Liquor Store, provided that:
  - i. the Liquor Stores are located on separate Sites;
  - ii. at least one Liquor Store is located on a Site greater than 2.4 ha in size; and
  - iii. the Liquor Store maintains a 95m separation distance from the closest point of any Liquor Store Use to the boundary of a site containing community or recreation activities, public or private education, or public lands at the time of application for the Development Permit.
- n. The following regulations shall apply to Rapid Drive-through Vehicle Services developments:
  - i. the total number of bays shall not exceed four for any given Site; and
  - ii. all operations and mechanical equipment associated with this Use shall be located within an enclosed building.
- o. Signs shall comply with the regulations found in schedule 59F of the Zoning Bylaw.

## **5. Transportation Improvements**

- a. As a condition of a Development Permit for construction of a principal building, the owner shall enter into an Agreement with the City of Edmonton for off-Site improvements necessary to serve or enhance the development, to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination (Transportation). Such improvements shall be constructed at the owner's cost. The Agreement process shall include an engineering drawing review and approval. Improvements to address in the Agreement include, but are not limited to:
  - i. Construction of a westbound right turn and an eastbound left turn bay on Ellerslie to an arterial roadway standard at the proposed all-directional access at Ellerslie Road and 70 Street intersection in accordance with Appendix I - Site Plan. The all-directional access must align with the existing 70 Street. Construction of southbound left turn bay and shared through and right turn lane will be required at the north leg of the all-directional access.
  - ii. Construction of a 3.0 m hard hard-surface shared use path in the ultimate alignment of on the north side of Ellerslie Road SW.
  - iii. Conversion/upgrade of the existing traffic signals at Ellerslie Road SW and 70 Street SW intersection.
  - iv. Remove the existing accesses from Ellerslie Road, restore the boulevard and relocate the existing power poles.

- b. The owner shall dedicate road right-of-way or register an easement necessary for the ultimate six lane cross-section of Ellerslie Road SW and for turn bays construction for the all-direction access at Ellerslie Road and 70 Street SW intersection to conform to the approved Preliminary Plans, or to the satisfaction of Subdivision and Development Coordination in accordance with Appendix I - Site Plan.
- c. The owner shall register a mutual access easement on all affected parcels for the shared use of all directional access to Ellerslie Road SW in accordance with Appendix I - Site Plan. The easement must stipulate that neither owner can discharge the easement without the express written consent of the City of Edmonton.
- d. The owner shall register a cross-lot access easement on all affected parcels for the purpose of shared access to Ellerslie Road SW in accordance with the Appendix I - Site Plan. The City of Edmonton will be a party to this easement, and the easement must stipulate that the owners may not discharge the easement without the express written consent of the City of Edmonton. The City's Law Branch will prepare the easement document(s).
- e. A right-in access may be granted from Ellerslie Road to the site as generally shown on Appendix I - Site Plan. The access location shall meet the City's Access Management Guidelines and be to the satisfaction of the Subdivision and Development Coordination (Transportation), including the construction of an auxiliary lane. The access will require additional land from the subject site and easterly adjacent land: Lot A, Block 1, Plan 2497Ks (6704 -Ellerslie Road SW).

